

FILED BY *M* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

2005 DEC 15 PM 1:55

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
CARREKER CORPORATION,

Plaintiff/Counter-Defendant,

MOTION GRANTED

DATE: 12-22-2005

v.

RONALD SCHULTZ, ET AL.,

Defendants/Counter-Plaintiff.

No. 2:05cv2209-D/V

Bernice Bouie Donald
BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

JOINT MOTION TO EXTEND SCHEDULING ORDER DEADLINES

The plaintiff/counter-defendant Carreker Corporation ("Carreker") and the defendants/counter-plaintiff Ronald Schultz and Jerry Bowman move, jointly, for an extension of the deadlines set forth in the Scheduling Order entered in this matter on June 28, 2005.

The parties would show that discovery, to date, has been developing very slowly through no fault of the parties. Specifically the parties would show:

1. The plaintiff Carreker issued a third-party subpoena in Dallas, Texas to the present employer of the defendants. That employer filed a motion to quash the subpoena and, after extensive briefing, a hearing was held before the Magistrate. Carreker essentially prevailed at that hearing and the employer took an appeal to the district court which recently upheld the ruling of the Magistrate. Carreker expects to receive, soon, a very substantial volume of documents from the defendants' present employer.

2. The defendants also contested discovery sought by Carreker. The Magistrate ruled in favor of Carreker and, defendants have recently produced approximately 19,000 pages of documents which are presently being copied. Carreker has just been advised that an additional 13,000 pages of documents are being produced.

This additional 13,000 pages of documents are being produced.
This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 12/22/05

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3. Discovery is also made more difficult in this matter by virtue of the Protective Order agreed upon by the parties and entered by the Court which provides that the principal substantive documents can be reviewed only by counsel and an outside expert.

4. Carreker and the defendants desire to move this matter forward promptly but, realistically, the present deadlines cannot be met. The parties respectfully seek extensions of certain deadlines as set forth below:

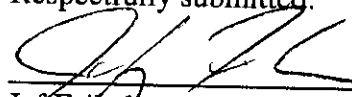
COMPLETING ALL DISCOVERY: From February 28, 2006 (the Scheduling Order mistakenly provides for February 28, 2005) to May 29, 2006.

- (a) DOCUMENT PRODUCTION: From February 28, 2006 to May 29, 2006.
- (b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: From February 28, 2006 to May 29, 2006.
- (c) EXPERT WITNESS DISCLOSURE (Rule 26):
 - (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: From December 27, 2005 to February 28, 2006.
 - (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: From January 27, 2006 to March 27, 2006.
 - (3) EXPERT WITNESS DEPOSITIONS: From February 28, 2006 to May 29, 2006.

FILING DISPOSITIVE MOTIONS: From March 28, 2006 to June 29, 2006.

5. Counsel for the parties respectfully represent to the Court that the foregoing deadlines are the minimum extensions which will be required to prepare this matter.

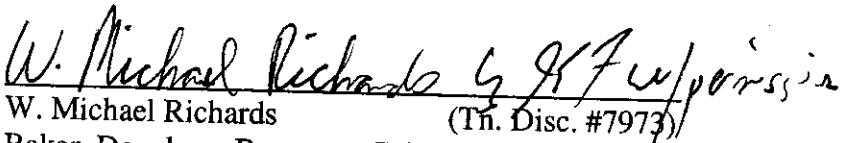
Respectfully submitted:



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Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:05-CV-02209 was distributed by fax, mail, or direct printing on December 27, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT